

IN THE MATTER OF

LITTLE MISSOURI RIVER CROSSING  
ENVIRONMENTAL IMPACT STATEMENT  
PROJECT # FHO-02-04(001)  
PCN # 16970  
BILLINGS COUNTY, NORTH DAKOTA

TRANSCRIPT OF  
PUBLIC SCOPING MEETING

Taken At  
North Dakota Cowboy Hall of Fame  
250 Main Street  
Medora, North Dakota  
March 12, 2007

BEFORE KADRMAS, LEE & JACKSON, FEDERAL HIGHWAY  
ADMINISTRATION AND NORTH DAKOTA DEPARTMENT OF  
TRANSPORTATION

<p style="text-align: center;">2</p> <p>1 (The proceedings herein were had and made 2 of record, commencing at 5:09 p.m., Monday, March 3 12, 2007, as follows:)</p> <p>4 MR. ARTHAUD: Ladies and gentlemen, could 5 I have your attention for a second? My name is Jim 6 Arthaud. I'm a Billings County commissioner. I 7 appreciate seeing all you people here and we 8 welcome the input and welcome to Medora on a 9 beautiful day like today.</p> <p>10 As you all know, Billings County has been 11 trying to pursue a river crossing north of the park 12 for some time and we've started a process with an 13 environmental impact study process. Kadrmas, Lee &amp; 14 Jackson is the engineering firm that's doing our 15 environmental impact study for us. Federal Highway 16 and North Dakota DOT are lead agencies with us that 17 are here tonight to do the process. But Jen 18 Turnbow with Kadrmas, Lee &amp; Jackson is going to do 19 our presentation and kind of lead you through the 20 process because it's quite a process and takes 21 somebody with her skills to be able to make 22 everybody understand it.</p> <p>23 So with that I'm going to turn it over to 24 Jen and, like I say, I appreciate you all coming.</p> <p>25 MS. TURNBOW: Thanks, Jim. I just wanted</p>	<p style="text-align: center;">4</p> <p>1 your comment is private in the room, it would be 2 part of the official transcript tonight. So those 3 are just a few housekeeping items we have.</p> <p>4 And before we get into the presentation, I 5 just kind of wanted to quick touch on, as Jim 6 alluded to, the process. We are conducting an 7 environmental impact statement, and that's under 8 NEPA, which is the National Environmental Policy 9 Act, and it's a federal process. Once you have a 10 project, it needs to go through this process for 11 the decisionmakers to actually make a decision.</p> <p>12 Now, under NEPA there's, they call it, 13 three classes of action, and there's a categorical 14 exclusion, an environmental assessment and then the 15 environmental impact statement, which is the 16 highest level of documentation that you can do, and 17 this project is under the environmental impact 18 statement. So if you have any questions about the 19 process as I go through, please feel free to ask.</p> <p>20 We're just going to just give a quick 21 project description. Federal Highway, in 22 cooperation with the North Dakota Department of 23 Transportation and Billings County, is preparing an 24 environmental impact statement on a proposal to 25 provide a roadway by either upgrading and/or new</p>
<p style="text-align: center;">3</p> <p>1 to start, I'm Jennifer Turnbow, as Jim said, with 2 Kadrmas, Lee &amp; Jackson, and we do have 3 representatives here tonight from KLJ, from Fed 4 Highway and from DOT. They're sort of scattered 5 throughout the room.</p> <p>6 But I just wanted to first do a couple 7 housekeeping items. We have a court reporter here 8 and she's just going to take a transcript of 9 tonight that needs to be put in the environmental 10 impact statement document, and so we're going to 11 have a question-and-answer period after our 12 presentation, and if you could just state your name 13 before you spoke, that would be great because she 14 just needs that information for the transcript.</p> <p>15 And also at the front door you received 16 some comment cards, and all the comments, they can 17 either be mailed into us, they can be e-mailed, 18 whichever you prefer, and they need to be in by 19 March 26th. And then after the presentation and 20 question-and-answer period, the court reporter will 21 actually move into a room right across from this 22 room in the office, and if any of you would like to 23 give private comments where you wouldn't want to 24 speak publicly, that type of thing, that option is 25 available. But please remember that even though</p>	<p style="text-align: center;">5</p> <p>1 construction to a proposed river crossing over the 2 Little Missouri River in Billings County.</p> <p>3 And the study area for the project right 4 now is the northern border of Billings County, the 5 western border of North Dakota Highway 16, the 6 eastern border of U.S. Highway 85 and the southern 7 border of Theodore Roosevelt National Park, and 8 that is actually right on this graph right here.</p> <p>9 This is the study area. And that does exclude 10 Theodore Roosevelt National Park and the Elkhorn 11 Ranch. There's a study area map.</p> <p>12 So what's the purpose of today's meeting? 13 We would like participation from the public and 14 interested parties regarding the purpose and need 15 for the project and a reasonable range of 16 alternatives, and we'll get into kind of a further 17 definition about purpose and need and the range of 18 alternatives.</p> <p>19 There was a coordination plan written to 20 satisfy some requirements that the Federal Highway 21 Administration has, and that is under SAFETEA-LU, 22 which is an acronym for the new Federal Highway 23 bill. And the purpose of this coordination plan 24 was to identify the review process for the public 25 and agencies and to comment on the environmental</p>

<p style="text-align: right;">6</p> <p>1 impact statement. And you can actually view this</p> <p>2 coordination plan on the Billings County website;</p> <p>3 there's one at the Federal Highway Administration</p> <p>4 in Bismarck; at the Kadmas, Lee &amp; Jackson office</p> <p>5 in Dickinson; and the Billings County Courthouse.</p> <p>6 Now, in order to initiate the</p> <p>7 environmental impact statement process, you have to</p> <p>8 file a notice of intent, and that was done in The</p> <p>9 Federal Register on October 1st, 2006. And this is</p> <p>10 actually -- you can read it, it's inside the</p> <p>11 coordination plan if you go to any of those viewing</p> <p>12 locations.</p> <p>13 So an environmental impact statement. The</p> <p>14 EIS, as I said before, is under the National</p> <p>15 Environmental Policy Act and, also, it would be</p> <p>16 done within regulations of the CEQ, which is the</p> <p>17 Council on Environmental Quality, and, again, the</p> <p>18 coordination plan.</p> <p>19 Now, what's inside the EIS? You have a</p> <p>20 purpose and need for the project, and that's what</p> <p>21 we're going to be talking about today, and also the</p> <p>22 reasonable range of alternatives, the affected</p> <p>23 environment, and then the potential impacts</p> <p>24 resulting from the alternatives. It's also done in</p> <p>25 compliance with other environmental laws, and, of</p>	<p style="text-align: right;">8</p> <p>1 And the need for the proposed project.</p> <p>2 Why do we need this project? Right now there's a</p> <p>3 distance of approximately 85 highway miles between</p> <p>4 public all weather crossings, and the two all</p> <p>5 weather crossings are on this public lands map</p> <p>6 stationed right here and right here. And what we</p> <p>7 have done as sort of a team is to try to come up</p> <p>8 with some need for the project, and what we have</p> <p>9 brainstormed, these are the bullets that we've sort</p> <p>10 of brainstormed: A system linkage which is</p> <p>11 connecting North Dakota Highway 16 and U.S. Highway</p> <p>12 85. It is on the statewide transportation</p> <p>13 improvement plan for Billings County and roadway</p> <p>14 deficiencies. You would either have to have new</p> <p>15 roadways or upgrade existing roadways to meet the</p> <p>16 North Dakota Department of Transportation</p> <p>17 standards; and social demands and economic</p> <p>18 development, and some of the bullets are</p> <p>19 agriculture, emergency management services,</p> <p>20 industry, recreation and tourism, and schools.</p> <p>21 And this is the same thing for purpose of</p> <p>22 the proposed project, this is sort of what we</p> <p>23 brainstormed as a team, and that's to provide</p> <p>24 system linkage between Highway 16 and U.S. Highway</p> <p>25 85.</p>
<p style="text-align: right;">7</p> <p>1 course, the public input is in the EIS, input from</p> <p>2 all of you tonight.</p> <p>3 Now, our study area as we had mentioned</p> <p>4 before, we had this study area which I went</p> <p>5 through. Now we're proposing a new study area, and</p> <p>6 that's what I'm going to go through right now. The</p> <p>7 north limit would be unchanged, but the south limit</p> <p>8 would be up -- it would be the northern border of</p> <p>9 the -- the southern border would be the northern</p> <p>10 border of the Theodore Roosevelt National Park, and</p> <p>11 the east limit is unchanged and the west limit is</p> <p>12 unchanged.</p> <p>13 Purpose and need. Purpose and need is</p> <p>14 basically the first step in this process, and it</p> <p>15 basically explains why the project is necessary and</p> <p>16 what the project is supposed to accomplish. The</p> <p>17 purpose and need definitely evolves and is refined</p> <p>18 as more information is gathered, so it's never just</p> <p>19 concrete material. It does evolve.</p> <p>20 And purpose and need kind of sets the</p> <p>21 stage on what the entire project can be and it</p> <p>22 defines what sort of alternatives that we can study</p> <p>23 and it basically drives the entire process for</p> <p>24 consideration of alternatives and the ultimate</p> <p>25 selection of the preferred alternative.</p>	<p style="text-align: right;">9</p> <p>1 Now we go through some of the</p> <p>2 alternatives. In the notice of intent there were</p> <p>3 three alternatives that we had listed in the notice</p> <p>4 of intent, and that was, of course, the do-nothing</p> <p>5 or take-no-action alternative; another one is</p> <p>6 construction of a river crossing structure, whether</p> <p>7 that be a bridge or a box culvert or a low water</p> <p>8 crossing; and the third were the different roadway</p> <p>9 alignments. Those were the alternatives that we</p> <p>10 stated in the notice of intent. But for</p> <p>11 alternatives, they must meet the purpose and need</p> <p>12 of the project, and they also must be developed at</p> <p>13 an acceptable cost and level of environmental</p> <p>14 impacts relative to the benefits that are expected</p> <p>15 to be derived from the project. And all reasonable</p> <p>16 alternatives must be explored and evaluated.</p> <p>17 I'm going to go through some of the major</p> <p>18 milestones. The next meeting that we'll probably</p> <p>19 have is the alternatives meeting, which is slated</p> <p>20 tentatively for July or August of '07; and then the</p> <p>21 draft EIS might be out sometime in September or</p> <p>22 October of '07; and the public hearing for</p> <p>23 January-February of 2008. Now, if any of the</p> <p>24 schedule changes, we will post that on the website.</p> <p>25 And the final EIS slated sometime for April-March</p>

10	12
<p>1 of 2008. Now, the reason why we're here today --</p> <p>2 I'm sorry. And the record of decision in May or</p> <p>3 June of '08.</p> <p>4 One of the reasons why we're here today is</p> <p>5 to get input from all of you about what the purpose</p> <p>6 and need of this project is going to be. Under the</p> <p>7 new requirements for the Federal Highway bill, we</p> <p>8 have to go to the public and to different agencies</p> <p>9 involved to get input about the purpose and need,</p> <p>10 and this usually isn't done. Usually when projects</p> <p>11 -- you have projects, we already know the purpose</p> <p>12 and need and we come to the public and to the</p> <p>13 agencies with alternatives, but this process we are</p> <p>14 actually coming to the public to discuss the</p> <p>15 purpose and the need for the project -- for the</p> <p>16 Little Missouri River crossing project. And so</p> <p>17 that's the whole purpose of tonight's meeting.</p> <p>18 And so with that, I'd really like to open</p> <p>19 it up to questions and answers and comments about</p> <p>20 the purpose and need for this project. Yes, sir.</p> <p>21 MR. GOLBERG: My name is Olie Golberg with</p> <p>22 Buffalo Gap Guest Ranch. With this crossing</p> <p>23 here -- I've got a concessionary permit with the</p> <p>24 U.S. Forest Service for use of the Maah Daah Hey</p> <p>25 Trail with my guest ranch for which I provide a</p>	<p>1 mile that I've got to run. And when the river is</p> <p>2 high in June or the river crossing that is existing</p> <p>3 up there by Goldsberry now I can't cross, I've got</p> <p>4 to come up all the back around and then back up to</p> <p>5 Magpie, which adds about -- oh, I think it's around</p> <p>6 135 miles onto my trip versus just coming across</p> <p>7 the river to the Magpie Camp from the Elkhorn Camp.</p> <p>8 So this crossing for me would almost make</p> <p>9 my packages that I offer for the tourism -- the</p> <p>10 mountain bikers and the horseback riders a little</p> <p>11 better pricing range that I could give to them. I</p> <p>12 have been looking for something like this across</p> <p>13 the river since I've had the ranch for the last</p> <p>14 five years. I'm going into my sixth season with</p> <p>15 Buffalo Gap, and right now I've got a group that</p> <p>16 wants to do the whole trail and shuttle and, like I</p> <p>17 say, on that crossing it would save them about \$300</p> <p>18 for what they want to do for this one trip.</p> <p>19 MS. TURNBOW: All right. Thank you very</p> <p>20 much. Yes, sir.</p> <p>21 MR. HILD: Ladies and gentlemen, my name</p> <p>22 is John Hild. I'm representing the Billings County</p> <p>23 Rural Fire Department and the City Fire Department</p> <p>24 on this issue of the river crossing. And, also,</p> <p>25 I'm going to read a couple letters from the</p>
11	13
<p>1 shuttle service to the different camps, the</p> <p>2 Elkhorn, Magpie and Bennett, and so on and so</p> <p>3 forth. With this crossing here to my customers</p> <p>4 that want to have the shuttle service, whether it</p> <p>5 be one trailer -- if they come here from Minnesota,</p> <p>6 Wisconsin, they ride the whole trail. Usually I</p> <p>7 start out at the CCC camp, pick them up at the</p> <p>8 Bennett camp, take them back to my ranch, the next</p> <p>9 day I go to Bennett, pick them up at Magpie, the</p> <p>10 third day we go to the Elkhorn and pick them up</p> <p>11 from there. But that crossing there for my</p> <p>12 customers would save them -- if it's one trailer</p> <p>13 load, would save them \$150 for that vacation trip.</p> <p>14 Most of these guys I can only get six horses to a</p> <p>15 trailer, so I'm using two rigs, so that would give</p> <p>16 them a savings of \$300 per trip for the use of what</p> <p>17 I do at the Buffalo Gap Guest Ranch on this trail.</p> <p>18 The way it is right now, because of that</p> <p>19 extra cost for these trail riders, it limits them</p> <p>20 and they ride from my place, let's say, to the</p> <p>21 Elkhorn Ranch and then they don't go any farther or</p> <p>22 they just do the CCC to Magpie, then they're done</p> <p>23 after that 60-mile ride.</p> <p>24 The mountain bikers that I shuttle from</p> <p>25 camp to camp for the same, they're charged by the</p>	<p>1 Billings County Emergency Management, also.</p> <p>2 Billings County Rural Fire Department and</p> <p>3 City of Medora Fire Department would like to go on</p> <p>4 record in support of the proposed river crossing</p> <p>5 with the following input. The preferred crossing</p> <p>6 would be one of three locations: The Elkhorn, the</p> <p>7 Alsaker or the Eberts because of their proximity to</p> <p>8 the Blacktail Road. The preferred crossing</p> <p>9 structure would be a bridge for all weather use.</p> <p>10 The chosen crossing should connect to an all</p> <p>11 weather road on the west side of the river.</p> <p>12 Fire response in Billings County primarily</p> <p>13 involves grassland, farm and ranch structures and</p> <p>14 the petroleum industry. The volunteers who make up</p> <p>15 the fire department also respond for search and</p> <p>16 rescue of victims, extraction, farm, industry and</p> <p>17 vehicle. Their response time to incidents on the</p> <p>18 west side could be reduced by two-thirds with a</p> <p>19 river crossing.</p> <p>20 For example, in 2005 a fire was reported</p> <p>21 on the west side of the river and was actually on</p> <p>22 the east side. Trucks had to be recalled back to</p> <p>23 the starting point and then re-sent up the other</p> <p>24 side of the river.</p> <p>25 The river crossing project would greatly</p>

<p style="text-align: right;">14</p> <p>1 improve the ability of both Billings County and</p> <p>2 mutual aid departments to respond to incidents on</p> <p>3 both sides of the river.</p> <p>4 Billings County Emergency Management is</p> <p>5 supportive of any project that improves the safety</p> <p>6 and well-being of county citizens and visitors to</p> <p>7 the Badlands. The proposed Little Missouri River</p> <p>8 crossing would enable safer, faster emergency</p> <p>9 response for medical, fire, law enforcement and</p> <p>10 other services by providing a hard surface crossing</p> <p>11 accessible to all vehicles.</p> <p>12 An all weather crossing would also allow</p> <p>13 emergency vehicles with both sides of the river to</p> <p>14 quickly access well-maintained, all weather county</p> <p>15 roads and eventually a highway, which becomes</p> <p>16 especially important if the incident is a medical</p> <p>17 emergency.</p> <p>18 One of the main objectives of emergency</p> <p>19 management is to provide support and resources</p> <p>20 through emergency responders from all agencies</p> <p>21 during the incident. A river crossing could</p> <p>22 greatly improve our ability to do that. I'll let</p> <p>23 you have this, too.</p> <p>24 MS. TURNBOW: Thank you very much. Yes.</p> <p>25 MR. BUCHHOLZ: My name is Dan Buchholz.</p>	<p style="text-align: right;">16</p> <p>1 And I would agree with these guys.</p> <p>2 Emergency response right now is lengthy for us. At</p> <p>3 best it's an 85-mile trip to get to the heart where</p> <p>4 our stations and pipelines are located. And we at</p> <p>5 times have had to call on the Billings County</p> <p>6 Sheriff's Department to aid with traffic control,</p> <p>7 those type of things. Incidents are few and far</p> <p>8 between, but if they do happen, we need to respond</p> <p>9 quickly, and if there's a human life at stake, it</p> <p>10 means everything to us. It's a matter of safety.</p> <p>11 MS. TURNBOW: All right. Thank you.</p> <p>12 MS. KNAPKEWICZ: I'm Kitty Knapkewicz from</p> <p>13 the Emergency Management office in Golden Valley</p> <p>14 County and I'm also with the ambulance service</p> <p>15 there.</p> <p>16 And it's tough when you get called clear</p> <p>17 up on the northern part of the county if you don't</p> <p>18 have a quick access to get back to the hospitals.</p> <p>19 Sometimes we're able to go to Sidney, but it sure</p> <p>20 is nice to be able to come back on good roads to go</p> <p>21 over to Dickinson or to Watford City to the</p> <p>22 hospitals. And with all the oil activity up there,</p> <p>23 it gets pretty hairy sometimes, some of the</p> <p>24 emergencies that they have. But we also have to</p> <p>25 come in -- Billings County can't get to their side</p>
<p style="text-align: right;">15</p> <p>1 I'm with the Beach Fire Department and the Central</p> <p>2 Rural Fire Protection District.</p> <p>3 I'm going reiterate what John said here</p> <p>4 right on the tail end of it. We're very much in</p> <p>5 agreement with him that we need something up in</p> <p>6 this area. I can give you an example. Here about</p> <p>7 eight years ago we got paged out to a fire</p> <p>8 northeast of Beach, and by the time we got up</p> <p>9 there, come to find out the fire was on the other</p> <p>10 side of the river, and the radio reception was so</p> <p>11 terrible up there that we couldn't get these guys</p> <p>12 to come up and fight it. And eventually somebody</p> <p>13 else found them so they did come up there, but I</p> <p>14 actually had four guys wade the river over to try</p> <p>15 and fight this fire, which wasn't the most</p> <p>16 intelligent thing to do.</p> <p>17 This would definitely help us all out in</p> <p>18 this area, not only fire departments, but the</p> <p>19 ambulance and medical services, too.</p> <p>20 MS. TURNBOW: Thank you. Yes.</p> <p>21 MR. JURGENS: I'm Ken Jurgens. I'm with</p> <p>22 Bear Paw Energy. And we have pipelines on both</p> <p>23 sides of the river that we maintain, the sour gas</p> <p>24 and sweet gas pipelines, high-pressure and</p> <p>25 low-pressure lines.</p>	<p style="text-align: right;">17</p> <p>1 of the county, and vice versa for our side, on</p> <p>2 different parts because we don't have crossings up</p> <p>3 there. So it's good for both counties for</p> <p>4 emergencies.</p> <p>5 MS. TURNBOW: All right. Thank you.</p> <p>6 MR. WHITWORTH: I'm Bill Whitworth,</p> <p>7 Theodore Roosevelt National Park. I can't say the</p> <p>8 park is opposed to any crossing in the area. Our</p> <p>9 concern is to preserve the quietness and solitude</p> <p>10 that the visitors to the Elkhorn site appreciate</p> <p>11 and that Theodore Roosevelt valued so much.</p> <p>12 MS. TURNBOW: All right. Thank you. Yes,</p> <p>13 sir.</p> <p>14 MR. OBERFOELL: I'm Jim Oberfoell. I have</p> <p>15 been in Sentinel Butte now for 14 years. I can see</p> <p>16 the people wanting a crossing. I have no argument</p> <p>17 with that. When I got out of the service in the</p> <p>18 '40s, I bought a little farm and there was no road</p> <p>19 directly to it. I tried to tell the people so many</p> <p>20 miles this way, so many miles that way, they</p> <p>21 couldn't get it. The old Schaff place, I'd say;</p> <p>22 oh, I've been there many times to bootleg. They</p> <p>23 knew where it was.</p> <p>24 But what I'm trying to say is, I would</p> <p>25 like to see the national park respected. I would</p>

<p style="text-align: right;">18</p> <p>1 like to see the crossing kept far enough away from 2 the park to prevent sight and hearing interference. 3 And I think the land has given us so much that we 4 can give that much back to the land. Thank you. 5 MS. TURNBOW: Thank you. Anyone else have 6 any comments? 7 MR. HOFFMAN: I'm Blaine Hoffman, Whiting 8 Oil and Gas. I'm not going to reiterate what these 9 people just said. Safety is a big factor for us. 10 We have wells on both sides of the river and right 11 close to the river. To us it's an economic thing. 12 I did a quick calculation today, and for the 13 activity we've had in the last year, a crossing 14 would have saved us close to \$300,000 this year. 15 So to us it's an economic thing and a safety thing. 16 MS. TURNBOW: All right. Thank you. Just 17 go into the proposed study area map? 18 MR. SCHRADER: Or we can keep doing need, 19 too. 20 MS. TURNBOW: Just different alternatives; 21 is that what you want? 22 MR. SCHRADER: We have to go over the 23 range of alternatives, also. 24 MR. TURNBOW: We want to kind of discuss 25 the reasonable range of alternatives, what would be</p>	<p style="text-align: right;">20</p> <p>1 on, it could be anywhere from 320 days to maybe 340 2 days out of the year it would be usable, is what I 3 estimate at this point in time. 4 Again, I just want to reemphasize, right 5 now there's nothing set that we're going to build 6 anything, that it's going to be a low water 7 crossing, it's going to be a bridge. Those are all 8 things we need to look at. As far as location, 9 it's anywhere from right now basically the 10 highway -- interstate to Highway 85 crossing. It's 11 anything in that range. So I guess my point is 12 it's all free game at this point. Everything is 13 pretty much open. That's what we're looking for 14 the comments for. 15 MR. OWEN: But is a low water crossing six 16 feet high? Is there any definition for low water 17 crossing? 18 MR. KRIEG: It would be similar -- do you 19 know the ones down by Three V's? It would be along 20 that line, is what we're thinking probably as our 21 low water crossing right now. 22 MR. SCHRADER: I have a picture of that 23 one, if anyone wants to see it. Not that we're 24 pushing a low water crossing, but everyone knows 25 what a bridge looks like, but a low water crossing</p>
<p style="text-align: right;">19</p> <p>1 a reasonable range in the study area of possible 2 alternatives that we could do for roadway alignment 3 and, as well as, the different structure 4 possibilities such as a bridge or a low water 5 crossing. So if anyone has comments about that, 6 that would be great. 7 MR. SCHRADER: This is Mark Schrader, 8 Federal Highway. At our previous meeting somebody 9 did bring up they would like us to evaluate 10 McKenzie County, as well. That was a comment that 11 we received at our initial public meeting in 12 Bismarck. We don't have an answer for that, but 13 just so everyone keeps that in mind, that was asked 14 of us to consider including McKenzie County in the 15 study area, as well. 16 MS. TURNBOW: Go out this way. 17 MR. OWEN: Wally Owen. I'm a local. At a 18 low water crossing, how effective will that be for 19 how many months out of the year? Is it six foot, 20 eight foot, or is there any discussion on that? 21 MS. TURNBOW: Jerry, could you -- 22 MR. KRIEG: Jerry Krieg with Kadrmas, Lee 23 &amp; Jackson. At this point we don't really know. 24 I'm assuming that it would be under water during 25 the spring thaw and the heavy rains. So depending</p>	<p style="text-align: right;">21</p> <p>1 might bring questions. If anyone would like to see 2 it, I've got it. 3 MR. KRIEG: It's not like it would be a 4 concrete slab at the bottom of the lake. There 5 would be some box culverts inserted. 6 MR. LOWMAN: Jim Lowman, rancher up north. 7 I could say self-employed, but I really work for a 8 bunch of old gals out there, is what I do. If I 9 could back up just a minute and comment on the 10 topic we were on prior to that. 11 The emergency crews have stated their 12 needs, and that's a definite priority. But as far 13 as those of us that live along the river and have 14 need to cross, I'm not as much affected as those 15 who live closer to the river, because we're back 16 about ten miles, but it's hard to put a monetary 17 value on what it would save us on time and fuel and 18 wear and tear on the outfit, because it's 19 between -- I believe it's something like a little 20 over a hundred miles between Medora and Watford 21 City. And as where we live, if you were a crow and 22 you could fly from Medora out there and you didn't 23 have a strong northwest wind, it would be about 40 24 miles. So when we do need to go across, we can't 25 cross the river, it's a major trip around.</p>

22	24
<p>1 And as far as the location, I think it</p> <p>2 should be at either the mouth -- or tie into</p> <p>3 Blacktail Road or Magpie. If you moved it up to</p> <p>4 Magpie -- that would be my suggestion -- you're</p> <p>5 closer to halfway between Watford City and Medora.</p> <p>6 That would be my suggestion.</p> <p>7 The better the bridge we could get, the</p> <p>8 better we would like it. I think a low water</p> <p>9 crossing would be plumb adequate, like the one at</p> <p>10 Three V's, because there's not a lot of days when</p> <p>11 the river stays up where you can't cross on a low</p> <p>12 water. I think a low water would be adequate</p> <p>13 because there's not a lot of days in a row and this</p> <p>14 river doesn't stay up very many days in a row. So</p> <p>15 that would be my comment. Thank you.</p> <p>16 MS. TURNBOW: Thank you. Yes, sir, in the</p> <p>17 back.</p> <p>18 MR. MOSSER: Yes. My name is Randy</p> <p>19 Mosser, and I live up there 32 miles north of</p> <p>20 Medora, right along the river. And I've got a</p> <p>21 ranch on each side of the river, and all I've got</p> <p>22 to say about the bridge, just do it. We've been</p> <p>23 waiting long enough.</p> <p>24 MS. TURNBOW: All right. Thank you. Yes.</p> <p>25 MS. CROOK: My name is Lillian Crook and</p>	<p>1 involved in there close to 30 years, and this low</p> <p>2 water crossing has been an issue that has been here</p> <p>3 as long as I can remember to tie both sides in. We</p> <p>4 have production on both sides of the river. One of</p> <p>5 the main issues along with this is communications.</p> <p>6 We do not have cell coverage adequate enough up</p> <p>7 there. With emergency access, and so forth, this</p> <p>8 water crossing would be very beneficial to both</p> <p>9 sides. Thank you.</p> <p>10 MS. TURNBOW: Thank you.</p> <p>11 MR. WIRTZFELD: Pete Wirtzfeld, Golden</p> <p>12 Valley County Rural Fire Department. I guess I</p> <p>13 would like to go on record as saying in being in</p> <p>14 favor of the crossing. As Dave mentioned earlier,</p> <p>15 it would alleviate a lot of impact to our roads,</p> <p>16 not only just from the oil industry, but from the</p> <p>17 tourism industry. I think most tourists start out</p> <p>18 their recreational vacation from Medora, they want</p> <p>19 to see the Theodore Roosevelt Elkhorn Ranch, they</p> <p>20 head north from the park, they can't see it. It's</p> <p>21 on the west side of the river. I think a lot of</p> <p>22 people don't realize that. A lot of people come</p> <p>23 out that way and get lost. We see a lot of people</p> <p>24 that travel the Maah Daah Hey and up to that point</p> <p>25 it's all on the west side of the river. They need</p>
23	25
<p>1 I'm a frequent visitor to Billings County and</p> <p>2 canoeist, and I would be in opposition to a low</p> <p>3 water crossing. Certainly the State Scenic River</p> <p>4 Act provides that this river not be impeded by such</p> <p>5 structures.</p> <p>6 Further, I would propose that any location</p> <p>7 in the proximity to the Elkhorn Ranch site would be</p> <p>8 foolhardy. This is the only presidential site that</p> <p>9 we have in North Dakota and we should act to</p> <p>10 preserve it, in the viewshed as well as what we can</p> <p>11 hear in that vicinity.</p> <p>12 MS. TURNBOW: Thank you.</p> <p>13 MR. QUALE: Dave Quale, Golden Valley</p> <p>14 County Commission chairman. We would like to go on</p> <p>15 record to support the new bridge or the water</p> <p>16 crossing because we have a lot of activity coming</p> <p>17 out of there -- oil activity coming out of there</p> <p>18 that's going on our roads. This would shorten it</p> <p>19 up for them considerably.</p> <p>20 MS. TURNBOW: Thank you. Yes, sir.</p> <p>21 MR. SCHILLO: I'm Bernie Schillo with</p> <p>22 Summit Resources out of Beach, North Dakota. And</p> <p>23 as Dave Quale mentioned, the activity is increasing</p> <p>24 there. Our company this summer, we hope to get</p> <p>25 considerably more active in the area. I have been</p>	<p>1 another access point just for, you know, search and</p> <p>2 rescue, people just to recreate and see the</p> <p>3 Theodore Roosevelt Elkhorn Ranch. Most of them</p> <p>4 can't ever see it because they can't find it.</p> <p>5 MS. TURNBOW: Thank you. Any more</p> <p>6 comments on purpose and need and alternatives?</p> <p>7 Yes, in the back.</p> <p>8 MR. KASTROW: Jason Kastrow, I'm with the</p> <p>9 Medora Ambulance Service. And just to kind of</p> <p>10 touch base, like the fire department was saying, it</p> <p>11 would be great to have this just for easier and</p> <p>12 quicker access for ambulance calls.</p> <p>13 Just a scenario, a few years back we had</p> <p>14 an ambulance where someone got thrown off a horse</p> <p>15 and badly hurt and they thought they were on one</p> <p>16 side of the river and we ended up driving almost 20</p> <p>17 miles there when they were actually on the other</p> <p>18 side of the river. Just to have an alternative,</p> <p>19 that would be great.</p> <p>20 And then kind of touch base with what</p> <p>21 Kitty was saying with Beach ambulance, Beach covers</p> <p>22 some of the residents in the northwestern part of</p> <p>23 our county, Billings County. They can get there</p> <p>24 quicker, but if they end up transporting to the</p> <p>25 hospital, they have to backtrack all the way around</p>

<p style="text-align: right;">26</p> <p>1 to the interstate. If they could have a place to</p> <p>2 cross, that would be great.</p> <p>3 MS. TURNBOW: Thank you. Yes, sir.</p> <p>4 MR. JURGENS: Dave Jurgens, I'm the</p> <p>5 Billings County Sheriff. A few things. Years ago</p> <p>6 I can remember being on the east side of the river</p> <p>7 and seeing an accident on the west side of the</p> <p>8 river and having to come all the way down to Medora</p> <p>9 and over to Sentinel Butte and all the way back up.</p> <p>10 I think that was about an 85-mile trip for me.</p> <p>11 That's just one of the problems.</p> <p>12 Now with the coming of the Maah Daah Hey</p> <p>13 Trail and all of the tourism, our search and rescue</p> <p>14 efforts have probably went to anywhere from six to</p> <p>15 twelve times a summer where we're out on the Maah</p> <p>16 Daah Hey Trail on both sides of the river. We have</p> <p>17 to go around if the river is up at all. I've</p> <p>18 crossed the river when I shouldn't have crossed the</p> <p>19 river. There's a lot of incidents that there's --</p> <p>20 there could be a loss of life just from that. And</p> <p>21 it just isn't worth it. We need something.</p> <p>22 MS. TURNBOW: Thank you.</p> <p>23 MR. DECKER: My name is Roger Decker. I</p> <p>24 have been around this country for almost 50 years.</p> <p>25 I'll real familiar with that area. But the</p>	<p style="text-align: right;">28</p> <p>1 MR. BROWN: My name is Aaron Brown. I'm</p> <p>2 the fire chief over at Sentinel Butte. And I would</p> <p>3 like to see a bridge or a low water crossing of</p> <p>4 some sort just for safety, like Dan and John have</p> <p>5 said and Dave over there. There's a lot of people</p> <p>6 up there, guys, a lot of oilfield traffic now, a</p> <p>7 lot of tourists, a lot of horseback riders, just a</p> <p>8 lot of folks up there. And as far as safety goes,</p> <p>9 there's a big safety reason.</p> <p>10 And, also, I used to work for the county.</p> <p>11 There's a lot of people on our roads, too, and our</p> <p>12 roads are getting beat. They're getting beat hard.</p> <p>13 And just keep that traffic on that side of the</p> <p>14 river and come across and that would be fine with</p> <p>15 me.</p> <p>16 MS. TURNBOW: Thank you. Anyone else have</p> <p>17 any questions or comments?</p> <p>18 UNIDENTIFIED SPEAKER: A question for</p> <p>19 Jerry maybe.</p> <p>20 MS. TURNBOW: Okay.</p> <p>21 UNIDENTIFIED SPEAKER: How many sites have</p> <p>22 you guys identified for a crossing?</p> <p>23 MR. KRIEG: Well, we haven't really</p> <p>24 identified any sites. One of the maps here shows</p> <p>25 all the trails and existing crossings that we could</p>
<p style="text-align: right;">27</p> <p>1 Blacktail Road and the road in Golden Valley</p> <p>2 County, they're really nice roads, and I think that</p> <p>3 needs to be, you know, where the bridge has got to</p> <p>4 connect those two roads, but Maah Daah Hey crosses</p> <p>5 up in that area, so as a sportsman and a sightseer,</p> <p>6 say you wanted to canoe the river or anything,</p> <p>7 winter sports, snowmobiling, there's really no good</p> <p>8 access to the river, you know, so a bridge -- or a</p> <p>9 low water crossing, I think, is adequate, but it</p> <p>10 should be there and the need is there for</p> <p>11 sightseeing and the Maah Daah Hey. It would really</p> <p>12 be a plus for the two counties that come together</p> <p>13 there.</p> <p>14 MS. TURNBOW: All right. Thank you. Any</p> <p>15 more comments? Yes, sir.</p> <p>16 MR. IVERSON: Jeff Iverson. And I would</p> <p>17 like to see that crossing go in, too, just from a</p> <p>18 hunting aspect. There's times where we can drive</p> <p>19 through, but there's times where you're held to</p> <p>20 hunting in one area and you can't get across to the</p> <p>21 other side. A lot of the time you can get through,</p> <p>22 but there's certain times where you just can't get</p> <p>23 across to hunt both sides. I think as far as for</p> <p>24 sportsmen, it would really help those people, also.</p> <p>25 MS. TURNBOW: All right. Thank you. Yes.</p>	<p style="text-align: right;">29</p> <p>1 come across, be it a Forest Service map or</p> <p>2 whatever. 12 of them, Jen, is that what we had</p> <p>3 shown on the map?</p> <p>4 MS. TURNBOW: 12 or 14.</p> <p>5 MR. KRIEG: Somewhere 12 to 14 existing</p> <p>6 crossings, would be private, Forest Service land,</p> <p>7 whatever. We don't know that they would go there.</p> <p>8 Probably the obvious spot if something would -- if</p> <p>9 it would be a field alternative, there would</p> <p>10 probably be an obvious spot for one of the existing</p> <p>11 trails or roads rather than constructing new roads</p> <p>12 to -- you know, additional roads out in the</p> <p>13 Badlands, use something that's already there and</p> <p>14 enhance it, if that would -- again, just one of the</p> <p>15 options that we would look at. I know, Jen, too --</p> <p>16 we'll be here till seven, so if there are no</p> <p>17 further comments -- Mark might have something. I</p> <p>18 guess we have one over here.</p> <p>19 MR. SCHRADER: This is Mark Schrader,</p> <p>20 Federal Highway. One of the things we were looking</p> <p>21 at is to further define our study area. When we</p> <p>22 had the initial study area, it went all the way to</p> <p>23 94. Now, we know -- it's obvious we're not going</p> <p>24 to build it in the national park, so we move up,</p> <p>25 but is it logical to build a crossing at the north</p>

<p style="text-align: right;">30</p> <p>1 end of the national park, five miles from the  2 existing road? It's not logical. How far up do we  3 move that line? And if we do study McKenzie  4 County, how far south do we move the line from the  5 north unit of the park to be logical? How much of  6 a window will there be that we're going to look at  7 alternatives in, and we haven't decided that.  8 We're certainly open to suggestions, what would be  9 logical to even evaluate, and that's another  10 decision we'll have to make, but if you could give  11 us some input on how much of a window do we explore  12 in the middle, how far north do we go from the  13 south unit and either the Billings County line or  14 if we go to McKenzie County, how far south from  15 that north unit? We're open to suggestions and  16 certainly value your comments if anyone has any  17 input on that.</p> <p>18 MS. TURNBOW: Thank you. Jan.  19 MS. SWENSON: I'm Jan Swenson. I'm  20 executive director for the Badlands Conservation  21 Alliance. I live in Bismarck and I was at the  22 meeting in Bismarck a week ago, and it's real  23 worthwhile to be here and listen to the comments in  24 this room and compare them to the comments in that  25 room.</p>	<p style="text-align: right;">32</p> <p>1 damaging, could be damaging to lifeways out here.  2 UNIDENTIFIED SPEAKER: What was that?  3 MS. SWENSON: Could be damaging to  4 lifeways out here. I mean, already we're seeing  5 out-of-state folks, other-parts-of-state folks  6 moving in, buying ranches at prices that are way  7 above ag value, and, you know, if you start putting  8 in these kind of crossings, you're going to invite  9 the kind of development that we see in Bismarck  10 along our river.</p> <p>11 So it's real hard to react negatively to  12 stories of accidents and fires and emergency needs,  13 but think long and deep before you start this  14 because once you start, it's really hard to stop  15 it. Thanks.</p> <p>16 MS. TURNBOW: Thank you. There was a  17 gentleman in the back.  18 MR. HEISER: Don Heiser, Billings County  19 Fire Department. As far as a permanent crossing  20 location, somewhere in the proximity of Blacktail  21 Road would be most beneficial to us, because coming  22 out of Fairfield that's the quickest station we've  23 got and the quickest access to cross the river and  24 it would cut down the time about two-thirds to get  25 across the river.</p>
<p style="text-align: right;">31</p> <p>1 I guess two things that BCA would want to  2 enter in here is that we have a real concern that  3 should a low water crossing or a bridge be put in  4 across the Little Missouri state scenic river,  5 would it be precedent setting? You know, wherever  6 you put that crossing, it's not going to be as good  7 for this person as the next person or this oil  8 company as the next oil company or, for that  9 matter, for emergency and safety purposes, so we  10 have a concern that these crossings will  11 proliferate, and therein we are supportive of  12 increasing that study area to include McKenzie  13 County.</p> <p>14 Secondly, I grew up in Bismarck, North  15 Dakota. When I was a kid, it was a population of  16 18,000. My house was three houses north of the  17 capitol grounds, there were two houses north of me  18 and then it was prairie. I went to the river  19 bottoms every day during the summer on my bike and  20 there were names for places, but that was it.  21 There were no volleyball courts, there were no  22 asphalt bike paths. It was just river bottoms.  23 BCA has a real concern that this crossing and a  24 possible proliferation of low water crossings on  25 the Little Missouri state scenic river could be</p>	<p style="text-align: right;">33</p> <p>1 MS. TURNBOW: Thank you.  2 MR. HILD: I would like to follow up --  3 John Hild again -- with what Don said.  4 Furthermore, I think there would be less impact.  5 When you talk about impact on the land, I think it  6 would be less impact if we picked out a route that  7 was already in proximity of the river as to start  8 developing something somewhere else.</p> <p>9 And, furthermore, as anybody that's been  10 up in that country knows, you're not going to just  11 cross anywhere in that area up there. I mean, it's  12 so rugged. That's the roughest part of Billings  13 County. I really feel, too, that that Blacktail  14 Road area -- not saying it has to be in the  15 proximity of the Elkhorn Ranch site or whatever,  16 but somewhere where those two roads between that  17 and that Forest highway route, too, could meet at  18 some point, that would be sufficient. I think that  19 would be a great deal because they're already  20 existing.</p> <p>21 MS. TURNBOW: Thank you. Jerry.  22 MR. KRIEG: I just have to reemphasize  23 what Mark was asking and maybe Blane and Ken and  24 some of you guys in the oilfield can -- you know,  25 we're obviously going to have to -- not obviously,</p>

34	36
<p>1 but it's more than likely going to be determined  2 now we're going to have to research some area in  3 McKenzie County, and most of us here are probably  4 Billings County and Golden Valley County, so, you  5 know, the people in the oilfield that are crossing  6 that far north, I think that's what we're -- we  7 don't want to put you on the spot, but if you could  8 help us out in determining, you know, maybe so many  9 miles north of the Billings County line or where  10 some legitimate spots are for a study area, that's  11 kind of what we're trying to find out right now.  12 We need to make sure we have all the bases covered  13 and in doing that, you know, we're going to have to  14 do some studying. We don't know if it's going to  15 be feasible in those locations or not. We really  16 need the people that are out there using those  17 areas to help us out on the location.  18 MR. JURGENS: Excuse me. Have you gotten  19 ideas already from the people that -- comments from  20 McKenzie County of where a possible crossing would  21 be? It would have to be north of the park, the  22 north unit of the park.  23 UNIDENTIFIED SPEAKER: I'm guessing -- or  24 thinking around Albert Nelson's somewhere.  25 MR. KRIEG: Right now we have been in</p>	<p>1 this time.  2 MR. JURGENS: If you did that, then you're  3 talking about building a road from the end of  4 Blacktail up to Magpie, which would probably be  5 cost prohibitive.  6 MR. KRIEG: That's what we have to  7 research.  8 MR. JURGENS: And the West River Road,  9 also, the same thing. You would have to build that  10 road going further north, too, to connect up with  11 any major east-west road. So you're talking about  12 building how many miles of road through some of the  13 roughest country there is here north and south  14 along both sides of the river to connect up with  15 another spot in southern McKenzie County.  16 MR. KRIEG: Right.  17 MR. JURGENS: Versus picking a spot that  18 maybe -- if you've got to move a little ways, you  19 still might be able to find an alternative route.  20 MR. KRIEG: Right. And then, again, once  21 we go through that option and look at those  22 alternatives, that's what we need to determine.  23 Maybe it's not even -- I mean, it may not be  24 feasible, but we still need to go through the  25 motions and approve that and do what we need to do.</p>
35	37
<p>1 touch with McKenzie County, but not a whole lot.  2 This is something that came out at last week's  3 meeting essentially, was looking at studying into  4 McKenzie County. So up until that point we were  5 pretty set in Billings County, but we have to open  6 it up and need to do things by law, so having said  7 that, we can't just restrict it to the county line.  8 MR. SCHRADER: It will be a decision that  9 Federal Highway needs to make, do we allow the  10 northern border to be the Billings County line or  11 do we require the document to also evaluate up into  12 McKenzie County, and we haven't made that decision  13 yet, so we're looking at alternatives both ways.  14 MR. JURGENS: Is there any major east-west  15 roads in the southern part of McKenzie County?  16 UNIDENTIFIED SPEAKER: Well, Piedrock  17 probably the only major part of the county.  18 MR. KRIEG: What we heard from the Forest  19 Service last week is there's probably three  20 possible roads in that area. If I recall what he  21 said, is it probably would be a longer distance  22 from those roads to the river, which might make it  23 less environmentally friendly, but we still need to  24 research that and we need to make that  25 determination. We can't rule those things out at</p>	<p>1 MS. TURNBOW: Can I get your name again,  2 sir?  3 MR. JURGENS: Dave Jurgens.  4 MS. TURNBOW: Thank you. Yes.  5 MR. LOSINSKI: Walt Losinski is my name.  6 I just have one comment, is I really think a bridge  7 is a good idea. A river crossing -- I've got to  8 tell you that as an avid canoeist and an avid  9 outdoors person, I have canoed that river from the  10 park all the way up past the Elkhorn several times,  11 and the only time you can do it is early in the  12 spring. The water is cold. Those low river  13 crossings are a hazard. You know, they trap you.  14 The currents change around those, and if you're not  15 aware of where that's at, it's potentially a deadly  16 river point. With the number of people that come  17 down to do the river sections, you know, I just  18 think that, you know, you create problems. I think  19 the bridge is your best answer and I think it's  20 well needed. But the only time you can do that  21 river is in the spring, and the water is cold and  22 it's easy to get trapped by the current and by  23 obstacles that are man-made.  24 And, you know, a good example is if you go  25 down the road to the Yellowstone and north of</p>

38

1 Glendive where they put the diversion dam in, it  
2 doesn't flow like any other part of the river, so  
3 if you go down to play in those rocks or to kayak  
4 or canoe through them, the currents are different  
5 than they are at any other section of the river  
6 because it's man-made. Any time you put those kind  
7 of crossings in, you create a different flow, so  
8 I'm all for the bridge.

9 MS. TURNBOW: Thank you. Does anyone have  
10 any more comments or questions? In the back.

11 MR. TODD: Robert Todd. I'm a citizen of  
12 Dickinson and I'm thankful I have been around here  
13 just about three-quarters of a century.

14 Nobody said anything here about pollution.  
15 Okay. If you have more -- a bridge across there or  
16 a low water crossing, you're going to have more  
17 dust unless it's a paved road, and if you check  
18 back on statistics, Dunn County and some of these  
19 western counties, they have more cancer deaths --  
20 or at least they did a few years ago when I was  
21 teaching, more cancer deaths than they do heart  
22 problems and that kind of thing.

23 And I agreed with many of your comments  
24 related to emergencies and accidents and the  
25 distance of trying to save people's lives. That's

39

1 really a plus, but between the dust and also noise,  
2 I think if we have any kind of a bridge or anything  
3 is put in across the Little Missouri River, to  
4 start with, it's going to disagree with the Little  
5 Missouri River being a Scenic Act as proposed in  
6 1975. You're going to disregard that.

7 But I guess to get back here on both the  
8 dust and the noise, if any bridge or any crossing  
9 is put in, I think it should be ten miles or more  
10 past the Elkhorn Ranch. If I go out there to see  
11 the Elkhorn Ranch or someplace if I'm out in the  
12 Yellowstone -- I guess I even have questions out in  
13 the Yellowstone having the snowmobilers and that  
14 sort of thing, even though I like to hunt, I like  
15 to get out. I guess as long as I have it now, it  
16 really doesn't give me much of a thrill to kill an  
17 animal, but part of the reason I apply for a  
18 license is to get out so I can tramp around in the  
19 Badlands. There's both pros and cons.

20 One other thing, I would ask that they  
21 extend the study up into McKenzie County, also.  
22 Thank you.

23 MS. TURNBOW: Thank you. Any more  
24 questions, comments? The court reporter will be  
25 moving into the office room, too, if anyone would

40

1 like to make private comments after we're done.  
2 And as Jerry said, we'll be in the room until  
3 seven.

4 All right. Well, thank you very much for  
5 coming to tonight's meeting. We appreciate your  
6 comments and your participation.

7 (Recessed at 6:02 p.m. to 6:13 p.m.)

8 MR. TESCHER: I'm Troy Tescher. I grew up  
9 north of Medora across from the Eberts Ranch and  
10 next to the Elkhorn Park, and now I presently  
11 manage that ranch for the new landowner. His name  
12 is Ken Johnson.

13 And speaking on behalf of Ken, he does not  
14 want to see a river crossing at the Eberts Ranch,  
15 which would go right through his ranch site, also,  
16 the west side of the river where Ken has his ranch  
17 site at. He would rather see it south of the  
18 Elkhorn Park or else further north of his ranch,  
19 which would be close to the mouth of Whitetail  
20 Creek. Thank you.

21 (Concluded at 6:14 p.m., the same day.)

-----

41

1 CERTIFICATE OF COURT REPORTER  
2  
3 I, Denise M. Andahl, a Registered  
4 Professional Reporter,  
5 DO HEREBY CERTIFY that I recorded in  
6 shorthand the foregoing proceedings had and made of  
7 record at the time and place hereinbefore  
8 indicated.  
9 I DO HEREBY FURTHER CERTIFY that the  
10 foregoing typewritten pages contain an accurate  
11 transcript of my shorthand notes then and there  
12 taken.  
13 Bismarck, North Dakota, this 20th day of  
14 March, 2007.  
15  
16 -----  
17 Denise M. Andahl  
18 Registered Professional Reporter  
19  
20  
21  
22  
23  
24  
25